Sri T. CHANNIAH.—No such instructions were given.

Mr. SPEAKER.—We cannot waste time over such details.

Sri Mulka GOVINDA REDDY.—Are the Government thinking of creating blocks in those villages?

Sri T. CHANNIAH.—No such arrangement is made.

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ.—Election validity ಯನ್ನು challenge ಮಾಡಬೇಕಾದರೆ ಅಪೀಲು ಹಾಕಲು ಅಂಥ ಉಮೇದುವಾರರು ಮತ್ತೆ ಬರಲು ಅವಕಾಶವಿದೆ ಎಂದು ಅಸೆಂಬ್ಲಿ ಮತ್ತು ಜಿಲ್ಲಾ ಬೋರ್ಡ್ ಚುನಾವಣೆ ನಿಬಂಧನೆಗಳಲ್ಲಿ ಅವಕಾಶವಿದೆಯಲ್ಲವೆ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಆದರಲ್ಲಿರಬಹುದು, ಆದರೆ ಈಗ ಪಂಚಾಯಿತಿ ಚುನಾವಣೆಯಲ್ಲಿ ಅದಿಲ್ಲ; ಏನಾದರೂ ಲೋಪವಿದೆಯೆಂದು ಕಂಡುಬಂದರೆ ಅದನ್ನು ತಿದ್ದುಪಡಿಮಾಡಿ, ನಿಬಂಧನೆಗಳಲ್ಲಿ ಸೇರಿಸುತ್ತೇವೆ.

Mr. SPEAKER.—There is no use in discussing the rules. It will be a waste of mercy time of the House.

ಶ್ರೀ ಜಿ. ಎ. ತಿಮ್ಮಪ್ಪಗೌಡ.—I am asking a question, Sir. ವಿಲೇಜ್ ಪಂಚಾಯಿತಿಗೆ ಅವಕಾಶ ಕೊಡದೇಯಿರುವುದರಿಂದ ಗ್ರಾಮಗಳಲ್ಲಿ ಪಾರ್ಟಿಗಳಿರುವುದರಿಂದ ಒಂದೇ ಪಾರ್ಟಿಯವರು ಬಂದರೆ, ಇನ್ನೊಂದುಪಾರ್ಟಿಯವರು ಚುನಾವಣೆಯಲ್ಲಿ ಜಯಶೀಲರಾಗಿ ಬರುವುದಕ್ಕಾಗುವುದಿಲ್ಲ ಅಲ್ಲವೆ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಈ ವಿಷಯದಲ್ಲಿ ಕೆಲವು praposals ಇವೆ, ಅವನ್ನು ಪರಿಶೀಲನೆ ಮಾಡುತ್ತೇವೆ.

Sri G. A. THIMMAPPA GOWDA.—I have brought the matter for the consideration of the Government.

Sri T. CHANNIAH.—Government will consider.

ಶ್ರೀ ಎ. ವಿ. ನರಸಿಂಹರೆಡ್ಡಿ.—ಚುನಾವಣೆಯ ವೇಳಾ ಪಟ್ಟಿಯನ್ನ ಘೊತ್ತುಮಾಡುವುದಕ್ಕೆ ಮೊದಲು ಚುನಾವಣೆ ರೂಲ್ಸ್ ರಚನೆಮಾಡಬೇಕಲ್ಲವೆ?

Sri T. CHANNIAH.—The elections will be conducted according to the rules formed under the Act.

ಶ್ರೀ ಎ. ವಿ. ನರಸಿಂಹರೆಡ್ಡಿ.—ಚುನಾವಣೆ ರೂಲ್ಸ್ ನಂತೆ ವಿಲೇಜ್ ಪಂಚಾಯಿತಿಗಳಿಗೆ ಸಿಂಬಲ್ಸ್ ಕೊಡಬಹುದೆಂದಿದ್ದು ಚುನಾವಣೆ ಎರಡು ಮೂರು ದಿವಸ ವಿರುವಾಗ ಅದನ್ನು ಬದಲಾಯಿಸುವುದು ಸರಿಯಾದ ಕ್ರಮವೆ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಈ ರೀತಿ ನಡೆದಿದೆಯೆಂದು ಸರ್ಕಾರದ ಗಮನಕ್ಕೆ ಬಂದಿಲ್ಲ. ಏನಿದ್ದರೂ ಯಾವ ಕ್ರಮವನ್ನೂ ಕೂಡ ರೂಲ್ಸ್ ಪ್ರಕಾರ ನಡೆಸಬೇಕೆಂದು ತಿಳಿವಳಿಕೆ ಕೊಟ್ಟಿದೆ.

Compulsory retirement of Sri T. Ranga Rao, Assistant Accountant, Municipal Commission, C. and M. Station.

Q.—324. Sri P. R. RAMAIYA (Basavangudi).—

Will the Government be pleased to state :—

(*a*) whether a petition by one Sri T. Ranga Rao, former Assistant Accountant in the office of the Municipal Commission of C. and M. Station, Bangalore, addressed to the President of the Indian Republic has been forwarded to the Government of Mysore for needful action;

(*b*) the points urged in the petition;

(*c*) the action taken by the Government of Mysore in respect of this petition?

A.—Sri T. CHANNIAH (Minister for Public Health and Local Self-Government).—

(*a*) Yes, for disposal.

(*b*) Please see copy appended below.

(*c*) The official was working as an Assistant Accountant in the Office of the Municipal Commission, Civil and Military Station, Bangalore. He was retired compulsorily from service. The official filed a suit against the Municipality. But the District Judge, Civil Station, dismissed his petition application. The revision petition was filed in the High Court of Mysore. The High Court heard on 28th March 1949 and also dismissed with cost.

Therefore, Government do not want to interfere in the matter at this stage.

[*Vide* REPLY TO CLAUSE (*b*) OF QUESTION NO. 324.]

To

The Honourable the President of the Indian Republic with the Government of India, New Delhi.

HONOURED SIR,

Subject :—*Vide* **Para 2.**

I may be permitted to state as follows :—

1. (*a*) That I was formerly employed as an Assistant Accountant in the Office of the Municipal Commission of the Civil and Military Station of Bangalore.

(SRI T. CHANNIAH.)

(*b*) That I was promoted from the graded scale of pay of Rs. 30-1-35 to the next higher grade.

(*c*) That the Head Accountant and Secretary demanded bribes; but were disappointed in getting the same from me.

(*d*) That on account of my refusal to give bribes, orders of suspension and reduction in pay under some other false pretexts were passed on me.

(*e*) That I preferred an appeal to the President, which was dismissed.

(*f*) That I preferred a second appeal to the Members of the Municipal Commission through the Vice-President; this is in accordance with clause 1 of Section VI of the Standard Rules framed by the Government of India under Act XXVI of 1850.

(*g*) That the Vice-President wrote his endorsement on the same and requested the President to place before the monthly Municipal Meeting for detailed enquiry in the matter.

(*h*) That the President *withheld* the same from placing before the meeting but got issued a retirement order signed by the Secretary as "For" President; (G of I Resn. No. 3731, dated 14th September 1847 states that the order of the European President should be worded and signed by him only and not by a native official who may alter the purport of the decision, and insert in it expressions which the European Officer would avoid if the order were issued by himself. This Order is dated as 10th October 1944 (afternoon) which also states that *no appeal lies to the Municipal Commission*, against the orders of the President.

(*i*) That the Law Secretary who was appraised of the same, directed me to apply to the Court concerned to file the suit.

(*j*) That I filed O.S. No. 13 of 1948 on the file of the District Judge, Civil Station, Bangalore, by wasting the full Provident Fund subscription and bonus of Rs. 1,771-15-8.

(*k*) That the defendant has neither got himself examined nor has he produced any witnesses for the purposes of examination but has only engaged the services of a Counsel who has merely filed a very few exhibits.

(*l*) That the Learned Judge's contentions are that "Suspension", and "Reduction in Pay" are departmental orders over which the Civil Courts have no jurisdiction and that he cannot go into the propriety or otherwise of those orders and that I was retired at my own request.

(*m*) That the suit was dismissed on 6th June 1950 with Rs. 50 payable as fees to the Defendant's Counsel.

(*n*) That the Law Secretary to the Government of Mysore, Bangalore, has replied in his endorsement dated 14th July 1952, that Government regret that no action in the matter is possible.

2. Wherefore, I appeal to your honour kindly to order the Government of India, to make arrangements for the conduct of proceedings under the Public Servants' Conduct Inquiries' Act of 1850 with regard to the validity of suspension, reduction in pay and retirement, at this place and oblige.

Thanking your honour,

Yours obediently,

(Sd.) T. RANGA RAO,

31st March 1954.

ADDRESS:

T. Ranga Rao,

D. No. 36, Kottige Veerabhadrappa's Lane,

Cottonpet, Bangalore-2.

ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯ.—ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜ್ ರವರು 6 ನೆ ಜೂಲೈ 1950 ರಲ್ಲಿ ಅಜ್ಜ್ಮೆಂಟ್ ಮಾಡಿಲಿಲ್ಲವೆ ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಅವರ ಅಪೀಲನ್ನು ಡಿಸ್‌ಮಿಸ್ ಮಾಡಿದ್ದಾರೆ.

ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯ.—ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜರವರು 6 ನೆ ಜೂಲೈ 1950 ರಲ್ಲಿ ಜಡ್ಜ್‌ಮೆಂಟ್ ಕೊಟ್ಟಿದ್ದಾರೆಂದ ಮೇಲೆ 28ನೆ ಮಾರ್ಚ್ 1949 ರಲ್ಲಿ ರಿವಿಜ್ ಪೆಟಿಷನ್ ಡಿಸ್‌ಮಿಸ್ ಆಯಿತು ಎಂದು ಹೇಳಿದ್ದೀರಿ, ಈ ಉತ್ತರ ತಪ್ಪಲ್ಲವೆ ? ಈ, ಉತ್ತರ ತಪ್ಪು; ದಯವಿಟ್ಟು ನೋಡಿ. ಆ ಮೇಲೆ ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಜಡ್ಜರು ಹೇಳಿರುವುದೇನೆಂದರೆ, " . . . suspension and reduction in pay on departmental orders over which the civil courts have no jurisdiction and that he cannot go into the propriety or otherwise of these orders" . . . . ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಆದುದರಿಂದ ಅವರು merit ಮೇಲೆ ಈ ಪ್ರಶ್ನೆಯನ್ನು ವಿಮರ್ಶೆಮಾಡದೆ, ತಮಗೆ ಅಧಿಕಾರವಿಲ್ಲ ಎಂದು ಮಾತ್ರ ಡಿಸ್‌ಮಿಸ್ ಮಾಡಿರುವುದು ತಮ್ಮ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—ಅವರು ಎಲ್ಲವನ್ನೂ ಕಾನೂನಿ ಗನುಸಾರವಾಗಿ ಪರಿಶೀಲನೆಮಾಡಿ dismiss ಮಾಡಿದ್ದಾರೆ.

ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯ.—Merits consider ಮಾಡುವುದಕ್ಕೆ ತಮಗೆ ಅಧಿಕಾರ ಇಲ್ಲ ಎಂದು ಅವರು ಆ ರೀತಿಯಾಗಿ ಆರ್ಡರ್ ಮಾಡಿದ್ದಾರೆ ಎಂಬುದನ್ನು ಗಮನಿಸಿದ್ದೀರಾ ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—High Court ನಲ್ಲಿ ಅಪೀಲು ಡಿಸ್‌ಮಿಸ್ ಆಗಿದೆ. ಎಲ್ಲಾ aspectsನ್ನೂ consider ಮಾಡಿ dismiss ಮಾಡಿದ್ದಾರೆಂದು ಸರ್ಕಾರದವರು ತಿಳಿದುಕೊಂಡು ಇದನ್ನು ಕೈಬಿಟ್ಟಿದ್ದಾರೆ.

ಶ್ರೀ ಪಿ. ಆರ್. ರಾಮಯ್ಯ.—Merits consider ಮಾಡುವುದಕ್ಕೆ ತಮಗೆ ಅಧಿಕಾರವಿಲ್ಲವೆಂದು ಅವರು ಅದನ್ನು ತೆಗೆದು ಹಾಕಿರತಕ್ಕದ್ದು ತಮ್ಮ ಗಮನಕ್ಕೆ ಬಂದಿದೆಯೇ ?

ಶ್ರೀ ಟಿ. ಚನ್ನಯ್ಯ.—High Courtನವರು merits consider ಮಾಡಿಯೇ ತೀರ್ಮಾನ ಮಾಡಿದ್ದಾರೆ.

Sri P. R. RAMAIYA.—I wish to appeal to the Speaker. It is very necessary that the Minister should go into the matter and get correct reply. I only appeal to the Speaker to notice the inconsistency in the replies. The District Court has ordered on 6th June 1950 and the reply is given that the High Court heard the case on 28th March 1949 and also dismissed with costs. I think this matter requires scrutiny and I appeal to the Minister to go into the matter and get the correct replies. I also appeal to the Speaker that the petition was not dismissed on consideration of merits but simply the Judge says that these matters, namely, subtraction and reduction of pay are departmental orders over which civil court has no jurisdiction. Therefore, the question is not considered on its merits. So, I wish the Minister to go into the question once again and see that justice is done.

Mr. SPEAKER.—I wish to bring to the notice of the Hon'ble Member that, at this rate, it is not possible even to complete five questions during question hour. You must get some answers during question hour and utilise those answers on some other occasions to redress the wrongs.

Sri P. R. RAMAIYA.—Am I not within my right if I state that the answers are inconsistent and wrong ? I appeal to the Speaker to direct the Minister to go into the matter once again and scrutinise the matter.

Mr. SPEAKER.—This will be taken up on some other day.

Well-works in Mysore Taluk.

Q.—583. **Sri SHIVANANJEGOWDA** (Mysore Taluk).—

Will the Government be pleased to state :

(*a*) whether it has come to their notice that in the rural parts of Mysore Taluk there is scarcity for drinking water wells ;

(*b*) whether it has come to their notice that in some places drinking water wells have been half-dug and stopped at that stage for want of funds ;

(*c*) whether they would get these well works completed by providing funds ?

A.—**Sri T. CHANNIAH** (Minister for Public Health and Local Self-Government).—

(*a*) Yes.

(*b*) Yes.

(*c*) Yes.